

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

SHOODLEY LEE CHERICHEL,

Civil No. 11-0928 (JRT/JJG)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

SCOTT BANIECKE, ERIC H. HOLDER,
JR., JANET A. NAPOLITANO, AND
JENNIFER SKWIRA,

Respondents.

Shoodley Lee Cherichel, A#095204110, Post Office Box 560, Trout, LA 71371, pro se petitioner.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeanne J. Graham dated April 20, 2011. Based upon the Report and Recommendation of the Magistrate Judge [Docket No. 5], and all of the files, records and proceedings herein, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus under 28 U.S.C. § 2241, [Docket No. 1], is **DENIED WITHOUT PREJUDICE**;
2. Petitioner's application for leave to proceed in forma pauperis, [Docket No. 3], is **DENIED AS MOOT**; and
3. This action is summarily **DISMISSED FOR LACK OF JURISDICTION**.
4. If Petitioner can state a valid claim for a writ of habeas corpus to be issued, such action must be filed in the jurisdiction where Petitioner is detained, presently in the Western District of Louisiana.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: May 13, 2011
at Minneapolis, Minnesota

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge